

## CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, with sufficient postage, in an envelope addressed to: Commissioner for Patents, P. O. Box 1450, Alexandria, VA 22313-1450, on the below date:

Date: July 19, 2006 Name: Tadashi Horie Reg. No. 40,437 Signature: Tadashi Horie

*LFW*  
**BRINKS  
HOFFER  
GILSON  
& LIONE**

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Appln. of: Kazuo SUGIMOTO et al.

Appln. No.: 10/810,792

Filed: March 26, 2004

For: VIDEO ENCODING APPARATUS, VIDEO  
ENCODING METHOD, VIDEO ENCODING  
PROGRAM, VIDEO DECODING APPARATUS,  
VIDEO DECODING METHOD AND VIDEO  
DECODING PROGRAM

Examiner: To Be Assigned

Art Unit: 2631

Attorney Docket No: 9683/180

Mail Stop: IDS  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

## TRANSMITTAL

Sir:

## Attached is/are:

- ☒ Transmittal (in duplicate); Second Supplemental Information Disclosure Statement; Form PTO-1449; Cited Reference (C1- EPO Office Action)
- ☒ Return Receipt Postcard

## Fee calculation:

- ☒ No additional fee is required.
- ☐ Small Entity.
- ☐ An extension fee in an amount of \$\_\_\_\_\_ for a \_\_\_\_\_-month extension of time under 37 C.F.R. § 1.136(a).
- ☐ A late filing fee or oath or declaration surcharge in an amount of \$\_\_\_\_\_ under 37 C.F.R. § 1.16(e).
- ☐ An additional filing fee has been calculated as shown below:

|   |                                     |       |                                    |                  | Small Entity |           |    | Not a Small Entity |           |
|---|-------------------------------------|-------|------------------------------------|------------------|--------------|-----------|----|--------------------|-----------|
|   | Claims Remaining<br>After Amendment |       | Highest No.<br>Previously Paid For | Present<br>Extra | Rate         | Add'l Fee | or | Rate               | Add'l Fee |
| Total                                     |                                     | Minus |                                    |                  | x \$9=       |           |    | x \$18=            |           |
| Indep.                                    |                                     | Minus |                                    |                  | x 43=        |           |    | x \$86=            |           |
| First Presentation of Multiple Dep. Claim |                                     |       |                                    |                  | +\$145=      |           |    | +\$290=            |           |
|   |                                     |       |                                    |                  | Total        | \$        |    | Total              | \$        |

## Fee payment:

- ☐ A check in the amount of \$\_\_\_\_\_ to cover the above-identified fee(s) is enclosed.
- ☐ Please charge Deposit Account No. 23-1925 in the amount of \$\_\_\_\_\_. A copy of this Transmittal is enclosed for this purpose.
- ☐ Payment by credit card in the amount of \$\_\_\_\_\_ (Form PTO-2038 is attached).
- ☒ The Director is hereby authorized to charge payment of any additional filing fees required under 37 CFR § 1.16 and any patent application processing fees under 37 CFR § 1.17 associated with this paper (including any extension fee required to ensure that this paper is timely filed), or to credit any overpayment, to Deposit Account No. 23-1925.

Respectfully submitted,

July 19, 2006  
Date

Tadashi Horie  
Tadashi Horie (Reg. No. 40,437)

I hereby certify that this correspondence is being deposited with the United States Postal Service, with sufficient postage, as first class mail in an envelope addressed to:

Commissioner for Patents  
Alexandria, VA 22313-1450  
on July 19, 2006



Date of Deposit

Tadashi Horie Reg. No. 40,437

Name of applicant, assignee or  
Registered Representative

Signature

July 19, 2006

Date of Signature

Our Case No.: 9683/180

### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Kazuo SUGIMOTO et al.

Serial No.: 10/810,792

Filing Date: March 26, 2004

For: VIDEO ENCODING APPARATUS, VIDEO  
ENCODING METHOD, VIDEO  
ENCODING PROGRAM, VIDEO  
DECODING APPARATUS, VIDEO  
DECODING METHOD AND VIDEO  
DECODING PROGRAM

Examiner: To Be Assigned

Group Art Unit No.: 2631

### SECOND SUPPLEMENTAL INFORMATION DISCLOSURE STATEMENT

Mail Stop IDS  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

In accordance with the duty of disclosure under 37 C.F.R. §1.56 and §§1.97-1.98, and more particularly in accordance with 37 C.F.R. §1.97(b), Applicant hereby cites the following reference:

**Other Art**

|                                       |
|---------------------------------------|
| EPO Office Action dated June 28, 2006 |
|---------------------------------------|

Applicant is enclosing Form PTO-1449 (one sheet), along with a copy of the listed reference for which a copy is required under 37 C.F.R. §1.98(a)(2). As the listed reference is in English, no further commentary is believed to be necessary, 37 C.F.R. §1.98(a)(3). Reference C1 is an Office Action issued in the counterpart EPO application. The references cited in the Office Action have already been disclosed to the Office in the Information Disclosure Statement submitted on March 31, 2006. Applicant respectfully requests the Examiner's consideration of the above reference and entry thereof into the record of this application.

By submitting this Statement, Applicant is attempting to fully comply with the duty of candor and good faith mandated by 37 C.F.R. §1.56. As such, this Statement is not intended to constitute an admission that any of the enclosed references, or other information referred to therein, constitutes "prior art" or is otherwise "material to patentability," as that phrase is defined in 37 C.F.R. §1.56(a).

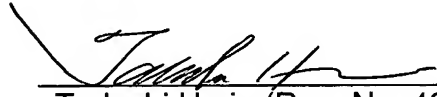
For purposes of 37 C.F.R. §1.704(d), Applicant certifies that each item of information contained in this Statement was cited in a communication from a foreign patent office in a counterpart application, and that this communication was not received by any individual designated in 37 C.F.R. §1.56(c) more than thirty days prior to the filing of this Statement (a copy of any foreign communication first citing a listed reference is attached for the Examiner's reference).

Applicant has calculated no fee to be due in connection with the filing of this Statement. However, the Director is authorized to charge any fee deficiency associated with the filing of this Statement to a deposit account, as authorized in the Transmittal accompanying this Statement.

Respectfully submitted,

July 19, 2006

Date

  
\_\_\_\_\_  
Tadashi Horie (Reg. No. 40,437)

BRINKS HOFER GILSON & LIONE  
P.O. Box 10395  
Chicago, IL 60610  
(312) 321-4200



|  |                               |                                     |
|--|-------------------------------|-------------------------------------|
| FORM PTO-1449  | SERIAL NO.<br>10/810,792      | CASE NO.<br>9683/180                |
| <b>LIST OF PATENTS AND PUBLICATIONS FOR<br/>APPLICANT'S INFORMATION DISCLOSURE<br/>STATEMENT</b> | FILING DATE<br>March 26, 2004 | GROUP ART UNIT<br>2631              |
| (use several sheets if necessary)  |                               | APPLICANT(S): Kazuo SUGIMOTO et al. |

**REFERENCE DESIGNATION****U.S. PATENT DOCUMENTS**

| EXAMINER<br>INITIAL | DOCUMENT<br>NUMBER<br><small>Number-Kind Code (if known)</small> | DATE | NAME | CLASS/<br>SUBCLASS | FILING<br>DATE |
|---------------------|--|------|------|--------------------|----------------|
|                     |  |      |      |                    |                |
|                     |  |      |      |                    |                |
|                     |  |      |      |                    |                |

**FOREIGN PATENT DOCUMENTS**

| EXAMINER<br>INITIAL | DOCUMENT<br>NUMBER<br><small>Number-Kind Code (if known)</small> | DATE | COUNTRY | CLASS/<br>SUBCLASS | TRANSLATION<br>YES OR NO |
|---------------------|--|------|---------|--------------------|--------------------------|
|                     |  |      |         |                    |                          |
|                     |  |      |         |                    |                          |
|                     |  |      |         |                    |                          |

| EXAMINER<br>INITIAL | <b>OTHER ART – NON PATENT LITERATURE DOCUMENTS</b><br><small>(Include name of author, title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date page(s), volume-issue number(s), publisher, city and/or country where published.</small> |                                       |
|---------------------|---|---------------------------------------|
|                     | C1  | EPO Office Action dated June 28, 2006 |
|                     |   |                                       |

|          |                 |
|----------|-----------------|
| EXAMINER | DATE CONSIDERED |
|----------|-----------------|

EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.